

I hereby certify that this correspondence is being
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PATENT
Attorney Docket No. 023070-086720
UC Ref. 98-298-1

first class mail in an envelope addressed to:
Assistant Commissioner for Patents,
Attn: Box Missing Parts,
Washington, D.C. 20231, on February 22, 1999

TOWNSEND and TOWNSEND and CREW LLP

By

Joy M. Marshall
Joy M. Marshall

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Price, et al.

Application No.: 09/164,862

Filed: October 1, 1998

For: YKL-40 AS A MARKER AND
PROGNOSTIC INDICATOR FOR
CANCERS



Examiner: Not Assigned

Art Unit: 1616

TRANSMITTAL LETTER - RESPONSE
TO NOTICE OF MISSING PARTS

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Application - Filing Date Granted dated October 22, 1998, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration and Power of Attorney
- 2) Copy of Notice of Missing Parts

Please charge Deposit Account No. 20-1430 for the following fees:

Large entity: (a) Filing Fee (§ 1.16(a)) (Large Entity) \$ 760.00

(b) Excess Claims Fees (§ 1.16(b), (c)):

62 - 20 = 42 x \$18.00= \$756.00

8 - 3 = 5 x \$ 78.00= \$390.00

(c) Missing Parts Surcharge \$130.00

TOTAL FEES TO BE CHARGED \$2036.00

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,

Tom Hunter
Reg. No. 38,498

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Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
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rev. 1/99
SF 150886 v1
SF 198146 v1



09/164,862 10/01/98 PRICE

FD-302 (Rev. 10-23-70) 023070-08672

020350 0232/1022
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER EIGHTH FLOOR
SAN FRANCISCO CA 94111

NOT ASSIGNED

16,16

DATE MAILED:

10/22/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 222,222

☒ 1. The statutory basic filing fee is:

☒ missing.
☐ insufficient.

Applicant must submit \$ 110 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ 1,334, including any multiple dependent claim fees, are required.

\$ 410 for 5 independent claims over 3

\$ 924 for 42 dependent claims over 20.

\$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☒ is missing or unexecuted.

☐ does not cover the newly submitted items.

☐ does not identify the application to which it applies.

☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1. 63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date is required.

☒ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21 (m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application does not comply with the Sequence Rules

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☒ 9. OTHER

Direct the reply and any questions about this notice to "Attention: Box Missing Parts

A copy of this notice MUST be returned with the reply

Customer-Service Center

Initial Patent Examination Division (703) 308-1202

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12/01/2001 10:00 AM

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